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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/955,222	09/19/2001	Richard Brown	1509-220	8293

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EXAMINER

DINH, KHANH Q

ART UNIT PAPER NUMBER

2151

DATE MAILED: 01/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Applicati n N .

09/955,222

Examiner

Khanh Dinh

Applicant(s)

BROWN ET AL.

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-- Th MAILING DATE f this communication appears on th cover sheet with the correspondence address --**Period f r Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 September 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disp sition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Pri rity under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsp rson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 9/19/2001.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

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DETAILED ACTION

1. Claims 1-16 are presented for examination.

Priority

2. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Specification

3. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

Claim Objections

4. Claim 10 is objected to because of the following informalities:

In the claim, "authoriser" should be changed to "authorizer" and "authorising" be changed to "authorizing".

Appropriate correction is required.

Claim Rejections - 35 USC § 101

5. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

6. Claims 15 and 16 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

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Claims 15 and 16 recite a computer in the preamble only, the body of the claim merely contains programming steps and no connection between the "computer" and the "programming" steps in the body of the claims. Therefore, the claim is a program per se and is not tangibly embodied and therefore not a "computer".

Claim Rejections - 35 USC § 102

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

8. Claims 1-16 are rejected under 35 U.S.C. 102(b) as being anticipated by Spies et al., US pat. No.5,689,565.

As to claim 1, Spies discloses a credential transfer method for use on a distributed electronic network, the method comprising the steps of a sender (participant 22a fig.1) communicating to a recipient (Participant 22b fig.1) a credential index comprising an index referring to at least one credential (sending and exchanging credential information), the recipient selecting at least one of the credentials from the index of at least one credential provided by the sender (see fig.1, abstract, col.5 line 21 to col.6 line 24), the recipient (22a fig.1) communicating to the sender (22b fig.1) an indication of the selected at least one credential and the sender providing to the recipient at least one

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credential corresponding to the selected at least one credential (providing secure and credential information between participants, see also fig.2, col.6 line 36 to col.7 line 28).

As to claim 2, Spies discloses determining whether the at least one credential is sufficient and communicating the result of the determination to the sender (see fig.2, col.7 line 17 to col.8 line 28).

As to claim 3, Spies discloses determining a service level according to the at least one credential indexed in the credential index and the recipient communicating the service level to the sender (using a certified trusted authority 26 fig.1 to process participant data information, see col.1 line 17 to col.8 line 28 and col.25 line 7 to col.26 line 41).

As to claim 4, Spies discloses that the sender communicates a plurality of credential indices to the recipient (see col.7 line 17 to col.8 line 28 and col.26 lines 14-65).

As to claim 5, Spies discloses determining a service level according to each of the plurality of credential indices communicated to the recipient by the sender and communicating the service level (trusted level) corresponding to at least one of the credential indices to the sender (col.6 line 36 to col.7 line 45 and col.8 lines 10-56).

As to claim 6, Spies discloses that a service level is communicated to the sender

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for each credential index communicated to the recipient by the sender (see fig.6, col.6 line 36 to col.7 line 45 and col.12 lines 1-59).

As to claims 7-9, Spies discloses that the credential comprising a digital credential, indices to a plurality of credentials and the sender selecting a credential index from a plurality of available credential indices (see fig.4, col.6 line 36 to col.7 line 45 and col.12 lines 1-59).

As to claim 10, Spies discloses a method of providing a service over a distributed electronic network, comprising:

a user (22a fig.1) communicating to a service authorizer (credential binding server 26 fig.1) a credential index comprising an index referring to at least one credential and the service authorizer (26 fig.1) selecting at least one of the credentials from the index of at least one credential provided by the user (22a fig.1) (sending and exchanging credential information, see fig.1, abstract, col.5 line 21 to col.6 line 24).

the service authorizer communicating to the user an indication of the selected at least one credential and the user providing to the service authorizer at least one credential corresponding to the selected at least one credential and the service authorizer authorizing provision of the service to the user (providing secure and credential information between participants, see also fig.2, col.6 line 36 to col.7 line 28).

As to claim 11, Spies discloses a computer readable memory configured so that it

can be used to direct a computer to:

communicate a recipient (22a fig.1) a credential index comprising an index referring to at least one credential and receive from the recipient an indication of at least one credential selected from the index (sending and exchanging credential information, see fig.1, abstract, col.5 line 21 to col.6 line 24).

provide to the recipient (22a fig.1) at least one credential corresponding to the selected at least one credential (providing secure and credential information between participants, see also fig.2, col.6 line 36 to col.7 line 28).

As to claim 12, Spies discloses a computer readable memory configured so that can be used to direct a computer to:

receive from a sender (22b fig.1) a credential index comprising an index referring to at least one credential and select from the index at least one credential (sending and exchanging credential information, see fig.1, abstract, col.5 line 21 to col.6 line 24).

enable an action on receipt said at least one credential from the sender (providing secure and credential information between participants, see also fig.2, col.6 line 36 to col.7 line 28).

As to claim 13, Spies discloses digital credential index comprising a data structure which provides an index to at least one credential (sending and exchanging credential information, see fig.1, abstract, col.5 line 21 to col.6 line 24), whereby at least one credential can be selected on the basis of information provided within the data structure

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(providing secure and credential information between participants, see also fig.2, col.6 line 36 to col.7 line 28).

As to claim 14, Spies discloses that the data structure provides indices to a plurality of credentials (see col.25 lines 7-53).

Claims 15 and 16 are rejected for the same reasons set forth in claims 11 and 12 respectively.

Other prior art cited

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- a. Herz, US pat. No.6,460,036.
- b. Fox et al, US pat. No.5,790,677.
- c. Herz et al, US pat. No.5,754,938.

Conclusion

10. Claims 1-16 are rejected.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Khanh Dinh whose telephone number is (571) 272-3936. The examiner can normally be reached on Monday through Friday from 8:00 A.m. to 5:00 P.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Zarni Maung, can be reached on (703) 272-3939. The fax phone number for this group is (703) 872-9306.

A shortened statutory period for reply is set to expire THREE months from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned (35 U. S. C. Sect. 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(A).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305 -9600.



Khanh Dinh
Patent Examiner
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1/9/2005